

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

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FACSIMILE COVER SHEET

Deliver to: Joseph G. Ustaris, USPTO Art Group: 2617
Facsimile No.: (571) 273-8300 Date: July 28, 2006
From: Eric T. King, Reg. No. 44,188

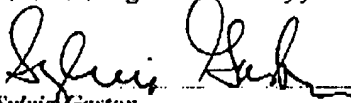
Our Docket No.: 5575P004 Number of pages 15 including this sheet.
Application No.: 09/872,197 Filing Date: 5/31/2001
Docket Due Date(s): 8/1/2006

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>11</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (<u> </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ (<u> </u> pgs) w/cover & abstract	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile ..	<input type="checkbox"/> Reply Brief (<u> </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (<u> </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion (<u> </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (In duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Transmittal Letter

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Sylvia Gaston Date 7/28/2006

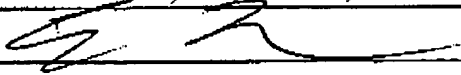
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/872,197
		Filing Date	May 31, 2001
		First Named Inventor	L. Jeffrey Kapner, III
		Art Unit	2617
		Examiner Name	Joseph G. Ustaris
Total Number of Pages in This Submission	15	Attorney Docket Number	K35A0807

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Certificate of Facsimile Transmission </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric T. King, Reg. No. 44,188 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 28, 2006

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Typed or printed name	Sylvia Gaston	Signature	
		Date	7-28-06

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 11/30/2005.
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<h2 style="text-align: center;">FEE TRANSMITTAL for FY 2005</h2> <p style="text-align: center; font-size: small;">Patent fees are subject to annual revision.</p>		Complete If Known	
		Application Number	09/872,197
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	May 31, 2001
		First Named Inventor	L. Jeffrey Kapner, III
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Examiner Name	Joseph G. Ustaris
		Art Unit	2617
		Attorney Docket No.	K35A0807

METHOD OF PAYMENT (check all that apply)

Check
 Credit card
 Money Order
 None
 Other (please identify): _____

Deposit Account
 Deposit Account Number: 02-2666
 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below
 Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s)
 Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

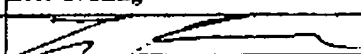
Total Claims	24	-	24*	=	0	x	50.00	=	\$0.00
Independent Claims	3	-	3*	=	0	x	200.00	=	\$0.00
Multiple Dependent									

Large Entity		Small Entity		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	380	2203	180	Multiple Dependent claim, if not paid	
1204	780	2204	385	**Reissue independent claims over original patent	
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (1)				(\$)	0.00

*or number previously paid, if greater. For Reissues, see below

2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	610	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	600	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
1809	760	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	760	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					
SUBTOTAL (2)				(\$)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Eric T. King	Registration No. (Attorney/Agent)	44,188
Signature		Telephone	(714) 557-3800
		Date	07/28/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004
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<h2 style="text-align: center;">FEE TRANSMITTAL for FY 2005</h2> <p style="text-align: center; font-size: small;">Patent fees are subject to annual revision.</p>		Complete if Known	
		Application Number	09/872,197
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	May 31, 2001
		First Named Inventor	L. Jeffrey Kapner, III
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Examiner Name	Joseph G. Ustaris
		Art Unit	2617
		Attorney Docket No.	K35A0807

METHOD OF PAYMENT (check all that apply)

Check
 Credit card
 Money Order
 Nonc
 Other (please identify): _____

Deposit Account Deposit Account Number: 02-2666
 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below
 Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	24	24*	=	0	X	50.00	=	\$0.00
Independent Claims	3	3*	=	0	X	200.00	=	\$0.00
Multiple Dependent								

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	350	2203	180	Multiple Dependent claim, if not paid
1204	790	2204	305	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

*for number previously paid, if greater; For Reissues, see below

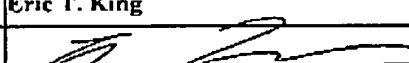
SUBTOTAL (1) (\$) 0.00

2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
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1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
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1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.128(b))	

Other fee (specify) _____

SUBTOTAL (2) (\$) _____

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Eric T. King	Registration No. (Attorney/Agent)	44,188
Signature		Telephone	(714) 557-3800
		Date	07/28/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/872,197
Amdt. Dated 07/28/2006
Reply to Office action of May 1, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :	09/872,197	Confirmation No. 1905
Applicant :	L. Jeffrey Kapner III et al.	
Filed :	5/31/2001	
TC/A.U. :	2623	
Examiner :	Joseph G. Ustaris	
Docket No. :	K35A0807	
Customer No. :	8791	

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of May 1, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.